

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARCEL DEWAR GAINES,

Plaintiff,

v.

BERKELEY COUNTY SUPERIOR  
COURT,

Defendant.

Case No. [17-cv-01546-JD](#)

**ORDER OF DISMISSAL**

Re: Dkt. No. 2

Plaintiff, a detainee, filed a civil rights action and the Court is awaiting plaintiff's motion to proceed in forma pauperis. However, Court mail that the clerk sent to plaintiff at his last known address has been returned as undeliverable. Plaintiff has not provided a current mailing address.

More than sixty days have passed since the mail was returned. This case is **DISMISSED** without prejudice. *See* Local R. 3-11(b). All motions are terminated as moot.

**IT IS SO ORDERED.**

Dated: June 22, 2017

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge

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NORTHERN DISTRICT OF CALIFORNIA

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**CERTIFICATE OF SERVICE**

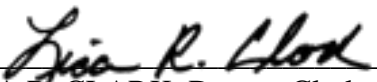
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 22, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Marcel Dewar Gaines ID: #17662467  
J-69437  
San Francisco Sheriff's Department  
850 Bryant Street  
San Francisco, Ca 94103

Dated: June 22, 2017

Susan Y. Soong  
Clerk, United States District Court

By:   
LISA R. CLARK, Deputy Clerk to the  
Honorable JAMES DONATO